



# **UNDERSTANDING THE PREVALENCE AND CHARACTERISTICS OF BIAS CRIME IN MASSACHUSETTS HIGH SCHOOLS**

## ***EXECUTIVE SUMMARY***

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**THE GOVERNOR'S TASK FORCE ON HATE CRIME  
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The main objectives of this study, one of the first of its kind, are to provide an empirically based estimate of the prevalence of bias motivated crime in Massachusetts high schools, determine the characteristics of bias crime victims, and estimate the rate that victims of bias crime report these incidents to police, school officials, and others.

## **BACKGROUND AND LITERATURE REVIEW**

- ❑ The Federal Bureau of Investigation defines a hate or bias crime as “a criminal offense committed against a person, property, or society which is motivated, in whole or in part, by the offender’s bias against a race, religion, disability, sexual orientation, or ethnicity/national origin.” The Massachusetts Governor’s Task Force on Hate Crime includes *gender* as a protected trait in its definition of bias crime.
- ❑ Bias crimes are unique from other type of crimes because of the offender’s bias motivation against a certain group or characteristic. They are believed to cause distinct emotional harm and have the potential to “...incite community unrest” (Wisconsin v. Mitchell). Bias crime victims are ‘interchangeable’ - that is, any person possessing a certain personal characteristic is a potential target. As such, these crimes have the potential to instill fear and cause harm, not only to the actual victim, but also to members of the victim’s community who share a certain immutable personal characteristic (Levin & McDevitt, 1993).
- ❑ Little is known about the actual prevalence of bias crimes. Official bias crime statistics, reported by the FBI, underestimate the actual occurrence of bias crime nationally (McDevitt, Bennett & Balboni, 2000).
- ❑ The 2000 Annual Report on School Safety reported that based on the National Crime Victimization Survey - School Supplement, 13 percent of students had been called hate-related words or names, and that 36 percent had seen hate-related graffiti at school (U.S. Department of Justice and U.S. Department of Education, 2000).
- ❑ Schools in particular are important social settings to understand and address bias crimes for two reasons:
  - In Massachusetts, 31 percent of the victims and 60 percent of the offenders of bias crimes are less than 21 years old (Governor’s Task Force on Hate Crimes, 1998).
  - According to the FBI statistics, schools and colleges are the third most frequent type of known setting for bias crimes, making up about 10 percent of the total incidents (FBI, 1999).

## METHODOLOGY

- ❑ In the spring of 2000, researchers at the Center for Criminal Justice Policy Research solicited nearly every public high school in Massachusetts for participation in the victimization study.
- ❑ Initially, 60 high schools agreed to participate. Researchers from CCJPR were able to arrange and administer the victimization survey at 40 of these schools. Ultimately, 30 high schools completed the data collection process and were included in the study.
- ❑ With the exception of two schools (one that was targeted for intensive study received 1000 surveys and another agreed to survey only 40 students), 200 victimization surveys were sent to each of the participating schools. Of the 6640 surveys sent out, the research team received useable responses from 4509 students, an average of over 150 per school.
- ❑ Since schools and students were not randomly sampled, the results of the study are not directly generalizeable to the entire population of students in public high schools. By most demographic measures, however, the sample of students does appear to be representative of the population of high school students at the time of the survey.
- ❑ In addition to student demographic information and items about school atmosphere, the survey instrument asked students about their victimization experience while *at school* in the *past six months* for six crime types: vandalism, assault, assault and battery, theft, sexual assault, and harassment.
- ❑ If students responded 'yes' to any of the crime victimization questions, they were asked to respond a number of follow up questions. The follow-up questions asked the students to provide a brief description of the incident, provide their perception of the offender's motivation for the crime, and to whom they reported the incident to or why they chose not to report.
- ❑ The research team used the victim's perception of the offender's motivation to determine bias crime victimization. Any victims who believed that they were targeted for victimization because of their race, religion, ethnicity, national origin, first language, gender, sexual orientation, or disability were considered bias crime victims.

## FINDINGS

- ❑ Bias crime victimization: **Overall, 7.7 percent of the sample (n=344) were victims of a bias-motivated crime at school within six months prior to the survey.**
- ❑ Overall victimization: More than one third (38 percent, n=1692) of the sample were the victims of at least one of the crime types at school within six months before the survey (bias or otherwise). **One in five (20.4 percent, n=344) of victims considered their victimization to be bias motivated.**
- ❑ Bias victimization by crime type: Most bias crime victims were victims of harassment (58.1 percent, n=200), followed by sexual assault/harassment (23 percent, n=79), vandalism (15.4 percent, n=53), assault (14.2 percent, n=49), assault and battery (12.5 percent, n=43), and larceny (11.6 percent, n=40).<sup>1</sup>
- ❑ Bias victimization by personal trait: Several individual traits were significantly associated with bias victimization - that is students with certain immutable characteristics were more likely than others to be victims of bias crime. Please note that the following findings do not suggest that the demographic category was the motivation for the victimization. For example, an African American student could have been the victim of a sexual orientation motivated bias crime.
  - **Race:** Students representing racial and ethnic minority groups (all non-whites combined) have nearly **twice the victimization rate** of whites (12.1 percent versus 6.9 percent). Taken separately, Native American students had the highest victimization rate (28 percent), followed by African Americans (19.3 percent), Asian/Pacific Islanders (17.1 percent), Latino/as (9.2 percent) and 'other' races (7.7 percent).
  - **Disability:** Disabled students had **three times the bias victimization rate** compared to non-disabled students (20.5 percent versus 6.9 percent).
  - **Ethnicity:** Hispanic students were somewhat more likely to be bias victims than non-Hispanic students.
  - **Sexual Orientation:** Students identifying their sexual orientation as either homosexual or bisexual were victimized at much higher rates (22.9 and 33.6 percent, respectively) than were heterosexual students.
  - **Gender:** Females (8.8 percent) were slightly more likely than males (6.6 percent) to be victims of bias motivated crimes.
- ❑ Bias Victimization By Type of Bias Motivation: In order to understand the role of bias motivation more clearly, we examined the relationship between personal characteristics (i.e. race) and the type of bias motivation (i.e. racially motivated bias crime). Presented here are some of the findings from this analysis (see Final Report for more detail).

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<sup>1</sup> Percentages do not add up to 100 percent because students could be victim of more than one crime type.

- Asian students were sixteen times more likely, African American students were eight times, and Hispanic students five times more likely than white students to be victims of racially motivated bias crime.
  - Lesbian and gay students were twelve times more likely than heterosexual students to be victims of bias crime because of their sexual orientation.
  - Disabled students were by far more likely to be the victims of disability motivated bias crime - as would be expected, virtually no non-disabled students were victims of this type of bias crimes.
  - Jewish students more likely to be victims of bias crimes directed against religion than were any other religious group.
- School Bias Victimization Comparison: Bias crime victimization varied across schools, ranging from 4.0 to 14.1 percent of the sample within each school. Using schools as the level of analysis, certain characteristics of schools were associated with reports of certain bias crimes. Specifically, the level within a school of crimes motivated by bias against race, ethnicity, national origin, or first language were strongly correlated<sup>2</sup> to schools that have experienced an influx of minority students in the past seven years ( $r = .78$ ), schools with a higher proportion of students eligible for free lunch programs ( $r = .78$ ) and schools with higher current minority population ( $r = .72$ ).
- Victimization Reporting: On the victimization survey, victims were asked to indicate, on a list of potential types of people (friends, teachers, parents, police, etc.), to whom they reported the crime. Below are the results of bias victim reporting:
- Most victims of bias crime responded that they told their friends (66.9 percent) about their victimization experience. About one third told some kind of school personnel (33.4 percent) or family members (32.0 percent) about the incident.
  - ***More than a quarter of bias crime victims (28.5 percent) did not tell anyone about their victimization.***
  - Very few, less than 5 percent, of bias crime victims responded that they reported the incident to police.
- Reasons for Not Reporting Bias Crimes: There were 125 bias incidents<sup>3</sup> where the victim provided a reason for not reporting to school officials in an open-ended format. A content analysis of the open-ended responses revealed several important themes students gave as reasons for not reporting a bias crime to school officials:

<sup>2</sup> Correlation statistics ( $r$ ) represent the strength of association between two school level variables (i.e. racial motivated bias crime and change in minority population), measured on a scale ranging from -1.0 to +1.0. A strong positive correlation means that as one measure increases (change in minority population) the other also increases (race motivated bias crime).

<sup>3</sup> The term 'incident' refers to a single crime type victimization for one victim. If one student was the victim of a vandalism and an assault, that would equal two incidents.

- 15 percent were not reported because the victim ***expected an indifferent or negative response from school officials***
- 15 percent were not reported because the victim was ***afraid***
- 17 percent were not reported because the victim felt the incident was ***not very serious***
- 21 percent were not reported because the victim felt the incident had ***little or no effect***
- 7 percent were not reported because the victim was ***too embarrassed***

## CONCLUSIONS AND RECOMMENDATIONS

- The survey revealed that bias crimes are present in each of the participating high schools. While the extent of a school's problem with bias crime varies, the data suggest that no school is immune to bias-motivated crime. As such, response and reporting mechanisms should be in place at every school to provide victim services.
- Certain groups were found to be disproportionately the victims of bias motivated crimes. In particular, racial minorities (such as African American and Asian students), homosexual or bisexual students, disabled students and religious minorities (such as Jewish students) had the highest rates of bias motivation in comparison to other groups. Consequently, schools should provide special reporting and outreach avenues to these groups.
- Education: Since bias crime victims are most likely to tell parents or friends about a bias crime incident, schools should initiate a broad-based program to educate parents and students about bias crime. Parents and peers must be educated about bias crime so that they can effectively advise and respond to bias crime victims' concerns as well as guide victims to official reporting avenues, such as teachers, police, or counselors.
- Targeted Prevention: As discussed earlier, schools that have recently experienced an influx in race or ethnic minorities in recent years tend to have higher rates of racial or ethnically bias-motivated crimes. Prevention and response resources targeted towards schools that are expected to or are currently undergoing dramatic changes in student demographic composition may reduce the level of bias crime within these schools.

## FUTURE RESEARCH

- Explaining School Bias Crime Rate Variation: While the current study was able to identify some school-level factors associated with bias crime victimization (such as demographic change, minority composition and economic indicators), a better sample of schools would more accurately determine what school characteristics influence bias motivated crime. Beyond having more schools included in the sample, schools with large minority populations that have been static for some time, and schools with large minority populations that do not also have a high proportion

of economically disadvantaged students are needed in future studies to successfully address to the relationship of bias crime and school characteristics.

- ❑ Understanding Victim's Perception of Motivation: One of the weaknesses of the current study is that the analysis relies on the victim's perception of the offender's motivation. For many reasons a victim may incorrectly judge the motivation for a particular incident. To better understand why some victims believe that the crime was motivated by bias versus some other motivation, a study should be initiated, using factorial vignettes or structured interviews with student victims that would discover what facts lead victims to believe their victimization to be bias motivated.
- ❑ Victimization Study: Because hate crimes are infrequent events and because minorities are disproportionately the victims of these crimes, a weakness of the current study is its inability to fully examine the character of some minority groups' victimization experience. For example, very few students of Muslim faith were captured in the sample and as such it statistically improbable that we would find bias crime victims within this group. This problem existed for other populations within the sample. To overcome this problem, future victimization studies should oversample - that is purposely survey a greater proportion of certain minority groups than exists in the population - in order to insure a sufficient sample size for analysis. While the overall bias crime rate would be inflated because of this technique, the analysis would reveal important information regarding the character of bias crimes against certain populations.
- ❑ Program Evaluation: The Department of Education and the Governor's Task Force should undertake a study examining the effectiveness of bias crime education and prevention programs and curricula. This study would be useful in refining the current education and prevention strategies employed in schools to more effectively provide services.